

AGENDA

Red Run Intercounty Drain Drainage Board Macomb and Oakland Counties

May 18, 2022 – 10:00 a.m.

Office of the Oakland County Water Resources Commissioner
One Public Works Drive, Building 95 West
Waterford, Michigan, and Microsoft Teams

1. Call meeting to order
Board Members:
Michael Gregg, Chair, Michigan Department of Agriculture and Rural Development
Candice Miller, Macomb County Public Works Commissioner
Jim Nash, Oakland County Water Resources Commissioner
2. Approval of the meeting agenda for May 18, 2022
3. Approval of Drainage District Board Meeting Minutes from April 20, 2022
4. Public Comment
5. Red Run Freedom Hill
 - a. Account of Project Standing
 - b. Project Update
 - c. South Bank Update
 - d. Red Run Walk Thru with USACE
6. Macomb County Public Works Office Construction Observation Invoices
7. Present Construction Estimate No. 2 from L.J Construction in the amount of \$180,510.38
8. Present trial balance
9. Present for approval payment of invoices in the amount of \$56,319.87
10. Other business
11. Adjourn

Agenda Item No. 3

Board Meeting Minutes from
April 20, 2022

Minutes of the Meeting
of the Intercounty Drainage Board for the
Red Run Drain

April 20, 2022

A meeting of the Drainage Board for the Red Run Intercounty Drain was held at the office of the Oakland County Water Resources Commissioner, Public Works Building, Building 95 West, Waterford, Michigan and via Microsoft Teams on April 20, 2022.

Present: Michael Gregg, Chairperson and Deputy for Gary McDowell, Director of the Michigan Department of Agriculture and Rural Development; Candice Miller, Macomb County Public Works Commissioner; Jim Nash, Oakland County Water Resources Commissioner.

Also Present: Representing the office of the Macomb County Public Works Commissioner: Brian Baker, Jeff Bednar, and Norb Franz. Representing the office of the Oakland County Water Resources Commissioner: Anne Vaara, Steve Korth, George Nichols, Sara Rubino, Meg Koss, and Stephanie Lajdziak. Others in attendance: Nancy Kolinski (Hubbell, Roth & Clark)

1. Call meeting to order.

Chairperson Gregg called the meeting to order at 9:42 a.m.

2. Agenda.

Motion by Nash, supported by Miller, to approve the April 20, 2022, agenda as presented.

Adopted: YEAS – 3
NAYS – 0

3. Minutes.

Motion by Miller, supported by Nash, to approve the minutes of the March 16, 2022, meeting.

Adopted: YEAS – 3
NAYS – 0

4. Public Comment.

Public comment was given. Resident Gutmann questioned why Beaver Creek was not listed as an intercounty drain on Macomb County's website. Commissioner Miller stated that it was her belief that Beaver Creek is not considered a drain. Mr. Bednar furthered stating that Beaver Creek is a natural water course and does not qualify as a drain. Mr. Gutmann expressed concern of the flooding at Beaver Creek and believed that it would benefit the Drainage District to address the issue. The Board thanked Mr. Gutmann for his input and advised it would be taken into consideration.

5. Freedom Hill – Phase 1 update.

Ms. Kolinski provided an update regarding Phase 1 of the Freedom Hill project. L.J. Construction will begin to work on the trail construction along Metro Parkway as soon as the weather becomes suitable for the work. She furthered that the vegetation will be planted within the next two weeks. Ms. Kolinski presented the Board with photos of the progress at the Sterling Relief Drain (attached). The Army Corp of Engineers have awarded the design work for the repairs to the south bank of the drain across from Freedom Hill to American Engineers. The kick-off meeting will be on May 3, 2022, and construction is estimated to start in 2023. Mr. Nicholas and Ms. Kolinski added that a project brochure (attached) was hand delivered to the residents surrounding the Sterling Relief project. It was moved by Nash, supported by Miller, to receive and file the Freedom Hill – Phase 1 update as presented.

Adopted: YEAS – 3
NAYS – 0

6. Red Run Restoration Phase 1 Construction Observation Services.

Mr. Nichols presented a memorandum from Macomb County Public Works for construction observation services. The services are estimated to cost \$59,000 over the duration of approximately 5 months. It was moved by Miller, supported by Nash, to approve the recommendation as presented.

Adopted: YEAS – 3
NAYS – 0

7. Legal Update and Request to Retain Legal Counsel.

Sara Rubino presented a memorandum to the Board giving a detailed background concerning the Drainage District and a retail property located at 7001 Chicago Road in Warren. Due to issues of ownership regarding the parking lot that encroaches upon an easement held by the Drainage District, outside counsel that specializes in real estate and development issues would need to be retained. She presented engagement agreements from Zausmer, P.C. and Aloia Law. It was moved by Miller, supported by Nash, to approve the retention of outside legal counsel to Aloia Law and authorize the Secretary to sign the engagement agreement as presented.

Adopted: YEAS – 3
NAYS – 0

8. Construction Estimate.

Construction Estimate No. 1 for L.J. Construction in the amount of \$625,701.85 with a transfer to the Oakland County Treasurer in the amount of \$66,858.15 was presented. It was moved by Nash, supported by Miller, to approve Construction Estimate No.1 in the amount of \$625,701.85 with a transfer to the Oakland County Treasurer in the amount of \$66,858.15 as presented.

Adopted: YEAS – 3
NAYS – 0

9. Trial Balance.

Mr. Nichols presented the Trial Balance report dated April 13, 2022 (as attached) indicating a balance of \$2,468,340.83. It was moved by Nash, supported by Miller, to receive and file the updated Trial Balance as provided.

Adopted: YEAS – 3
NAYS – 0

10. Invoices and/or Reimbursement of the Drain Revolving Fund.

A request for approval of payment of invoices and/or reimbursement of the Drain Revolving Fund (as attached) in the amount of \$11,899.77 was presented. It was moved by Nash, supported by Miller, to approve payment of invoices and/or reimbursement of the Drain Revolving Fund as presented.

Adopted: YEAS – 3
NAYS – 0

11. Other Business.

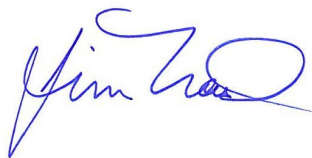
Mr. Nichols reminded the Board that the Annual Drain Inspection Walkthrough is on May 6, 2022, with a back-up date of May 12, 2022.

12. Adjourn.

Motion by Nash, supported by Miller, to adjourn the April 20, 2022, meeting at 10:37 a.m.

Adopted: YEAS – 3
NAYS – 0

Next Regular Meeting: *Office of the Oakland County Water Resources Commissioner, One Public Works Drive, Building 95 West, Waterford, Michigan* and electronically at 10:00 a.m., Eastern Standard Time on May 18, 2022.



Jim Nash, Secretary
Red Run Intercounty Drain Drainage Board

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and complete copy of the minutes of the Red Run Intercounty Drain Drainage Board, at a meeting held on the 20th day of April 2022 and that the meeting was conducted and public notice was given in compliance with the Open Meetings Act being Act 267, Public Acts of Michigan, 1976, as may be amended from time to time and that the minutes were kept and will be or have been made available to the public as required by the Act.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 20th day of April 2022.



Jim Nash, Secretary
Red Run Intercounty Drain Drainage Board

Agenda Item No. 4

Public Comment

Agenda Item No. 5

Red Run Freedom Hill

Account of Project Standing

APS #: 17

Time Period: April 01, 2022 thru April 30, 2022

Prepared By: Nancy Kolinski

Date Issued: May 06, 2022

Project Task Summary:

Task 1 – Data Collection, Survey and Field Assessment – Complete

Task 2 – Soil Boring Analysis – Complete

Task 3 – Preliminary Plan Design – Complete

Task 4 - Final Design and Bid Documents – Complete

Task 5 – Project Coordination – Ongoing

- Construction ongoing

Construction Update:

- Biweekly onsite progress meetings occurring
- J-Hooks installed
- Stone Toe, Sediment removal and Bank grading complete.
- Drain structures installed
- Planting of the 50 2" B&B trees complete
- Restoration beginning
- No issues at this time (unforeseen circumstances leading to work orders/change orders, authorized extras, delays, etc.).
- Second payment application submitted.

Focus of Efforts in Next Period:

- Trail construction ongoing – Grading and stone placement
- Site preparation for plantings and prairie vegetation establishment

Critical Decisions Made:

- N/A

Outstanding Critical Questions:

- N/A

Client Assistance Needed:

- N/A

Schedule Concerns

- None at this time

Scope and/or Budget Concerns:

- None at this time

Account of Project Standing

Red Run Drain Freedom Hill Supplemental Services

Project Task Summary:

Task 1 – Permitting- In Progress

- Submitted USACE Section 408 Certification – Submittal deemed complete, and the full review underway begin. Full approval unknown. USACE behind on their review.

Task 2 – Drainage District Assistance- In Progress

Task 3 – Monitoring Assistance- In Progress

Task 4– Grant Reporting- In Progress

- No work for this period

Task 5 – Meetings- No work requested under this task

Task 6 – USACE Phase 2 Coordination- No work requested under this task. USACE selected American Engineers. Project kick off meeting held

Task 7 – Project Signage- No work requested under this task

Miscellaneous:

- GWK Outfall project: Design continues. Submitted to EGLE for permits. Sediment sampling results submitted to EGLE. Levels exceed for Lead, Benzo(a)pyrene, chrysene, fluoranthene, phenanthrene, and pyrene and Total PCBs

Critical Decisions Made:

- N/A

Outstanding Critical Questions:

- No at this time.

Client Assistance Needed:

- None at this time

Schedule Concerns

- N/A

Scope and/or Budget Concerns:

- N/A

Agenda Item No. 6

Macomb County Public Works Office
Construction Observation Invoices

Agenda Item No. 7

Construction Estimate

RED RUN INTERCOUNTY DRAIN DRAINAGE DISTRICT
For Construction of the Freedom Hill North Bank Stabilization Project
Located in the City of Sterling Heights, Macomb County, Michigan

Regular Construction Estimate No.2

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Contract Item	Bid Quantity	Unit	Unit Price	Quantity This Payment	Total Quantity Previous Estimate	Total Quantity to Date	Total Amount to Date
1 Mobilization (5% Max)	1	Lsum	\$57,000.00	-	1.00	1.00	\$57,000.00
2 Tree, Rem, 6 Inch to 18 Inch (as needed)	3	Ea	\$800.00	-	4.00	4.00	\$3,200.00
3 Permits (Allowance)	1	Dlr	\$5,000.00	-	0.51	0.51	\$2,550.00
4 Prevent Spreading of Invasive Species Control Measures	1	Lsum	\$8,000.00	-	1.00	1.00	\$8,000.00
5 Erosion Control, Gravel Access, Approach	2	Ea	\$4,250.00	-	-	-	\$0.00
6 Erosion Control, Turbidity Curtain, Deep, Modified	1	Lsum	\$18,000.00	-	1.00	1.00	\$18,000.00
7 Erosion Control, Silt Fence	5,500	Ft	\$2.36	5,500.00	-	5,500.00	\$12,980.00
8 Fence, Rem	40	Ft	\$25.00	-	-	-	\$0.00
9 HMA Surface, Rem	205	Syd	\$10.00	-	-	-	\$0.00
10 Sidewalk, Rem	27	Syd	\$37.00	-	-	-	\$0.00
11 Culv, Rem, 24 Inch to 48 Inch, Modified	1	Ea	\$1,000.00	1.00	-	1.00	\$1,000.00
12 Minor Bank Grading (as needed)	7,500	Syd	\$2.67	4,314.00	2,500.00	6,814.00	\$18,193.38
13 Culv, Cl A, 12 inch, Tr Det B, Modified	59	Ft	\$91.00	92.00	-	92.00	\$8,372.00
14 CMP, Gauge 16, 12 Inch, Modified	142	Ft	\$98.00	142.00	-	142.00	\$13,916.00
15 Dr Structure, 24 Inch Dia, Modified	2	Ea	\$3,000.00	3.00	-	3.00	\$9,000.00
16 Dr Stand Pipe, 24 Inch Dia, CMP, Gauge 16	1	Ea	\$2,570.00	1.00	-	1.00	\$2,570.00
17 Site Preparation	23	Ac	\$1,086.00	-	-	-	\$0.00
18 Stone Toe	2,710	Cyd	\$121.00	264.00	2,435.00	2,699.00	\$326,579.00
19 J Hooks	3	Ea	\$95,000.00	-	3.00	3.00	\$285,000.00
20 Excess Sediment Removal	1,000	Cyd	\$25.00	500.00	500.00	1,000.00	\$25,000.00
21 Shared Use Path, Grading, Special	5,650	Ft	\$23.00	1,250.00	-	1,250.00	\$28,750.00
22 Aggregate Base, 6 Inch, 21AA	140	Syd	\$39.00	-	-	-	\$0.00
23 Aggregate Surface Crse, 3.5 Inch, Modified	1,100	Ton	\$45.45	-	-	-	\$0.00
24 Subgrade Undercutting, Type III (as-needed)	251	Cyd	\$44.00	-	-	-	\$0.00
25 Geotextile, Stabilization (as-needed)	600	Syd	\$2.50	-	-	-	\$0.00
26 Sidewalk, Conc, 6 Inch, Modified	1,225	Sft	\$12.24	-	-	-	\$0.00
27 HMA, 13A, 3 Inch	1,850	Sft	\$7.00	-	-	-	\$0.00
28 Bollards, Collapsible	2	Ea	\$1,150.00	-	-	-	\$0.00
29 Fence, Modified	48	Ft	\$125.00	-	-	-	\$0.00
30 Mulch Blanket, High Velocity	9,000	Syd	\$2.86	-	-	-	\$0.00
31 Restoration - Turf	5	Ac	\$3,000.00	-	-	-	\$0.00
32 Restoration - Native Prairie Mix	7.4	Ac	\$4,185.00	-	-	-	\$0.00
33 Restoration - Lo Prairie Mix	10.3	Ac	\$5,000.00	-	-	-	\$0.00
34 Restoration - Stormwater Mix	2.0	Ac	\$1,248.00	-	-	-	\$0.00
35 Shrub Plantings	2,500	Ea	\$6.95	-	-	-	\$0.00
36 Bare Root Trees	325	Ea	\$31.00	-	-	-	\$0.00
37 Plugs Planting	4,000	Ea	\$4.36	-	-	-	\$0.00
38 Celtis Occidentalis, 2 Inch	6	Ea	\$635.00	-	-	-	\$0.00
39 Liriodendron Tulipifera, 2 Inch	9	Ea	\$557.00	-	-	-	\$0.00
40 Platanus x occidentalis (native), 2 Inch	6	Ea	\$555.00	-	-	-	\$0.00
41 Platanus x acerifolia, 2 Inch	10	Ea	\$536.00	-	-	-	\$0.00
42 Tilia americana, 2 Inch	10	Ea	\$655.00	-	-	-	\$0.00
43 Ulmus X, 2 Inch	9	Ea	\$635.00	-	-	-	\$0.00
44 Traffic Control	1	Lsum	\$11,000.00	-	-	-	\$0.00
45 Signage (Allowance)	1	Dlr	\$3,000.00	-	-	-	\$0.00
46 Sign Installation	1	Dlr	\$1,500.00	-	-	-	\$0.00
47 Audio Video Survey	1	Lsum	\$5,000.00	-	1.00	1.00	\$5,000.00
48 Erosion Control, Inlet Filter	5	Ea	\$200.00	4.00	-	4.00	\$800.00
49 Stone Rip Rap	445	Cyd	\$120.00	393.00	-	393.00	\$47,160.00

Regular Construction Estimate No.2

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Contract Item	Bid Quantity	Unit	Unit Price	Quantity This Payment	Total Quantity Previous Estimate	Total Quantity to Date	Total Amount to Date
Change Orders:							
					0.0	0.0	\$0.00

Stored Material:							
					0.0	0.0	\$0.00

SUB-TOTAL (Bid Items):	\$873,070.38
SUB-TOTAL (Change Orders):	\$0.00
SUB-TOTAL (Stored Material):	\$0.00
SUB-TOTAL TO DATE	\$873,070.38

Deductions:							
					0.0	0.0	\$0.00

SUB-TOTAL (Deductions):	\$0.00
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<u>Sub-Totals This Estimate</u>	
Bid Items	\$ 873,070.38
Change Orders	\$ -
Stored Materials	\$ -
Deductions	\$ -
Payment this Estimate	\$ 873,070.38
Less Transfer to Reserve	\$ 66,858.15
Net Payment	\$ 806,212.23

Agenda Item No. 8

Trial Balance

Run By: 32808

Run: 05/16/2022 at 10:41 AM

Scope: 82902 Red Run Federal Drain Ch21

YTD Trial Balance
Fund: 82902 Red Run Federal Drain Ch21
As of Fiscal Period: Month 7, 2022

ACCOUNT		Fiscal Year BEG BAL	Current FY Net Activity	ENDING BAL
100100	Cash - Operating	22,903.13	1,856,576.53	1,879,479.66
104100	Accrued Interest on Investment	4,678.07	187.76	4,865.83
126105	Due from Municipalities-AR Con	60,000.00	(60,000.00)	0.00
201210	Vouchers Payable AP Cont	(60,229.86)	60,229.86	0.00
211100	Due to Primary Government	0.00	(12,699.77)	(12,699.77)
228100	Deposits	(26,244.40)	0.00	(26,244.40)
230852	Accounts Payable	(89,347.55)	89,347.55	0.00
	Revenues	0.00	(2,652,344.66)	(2,652,344.66)
	Expenditures	0.00	718,702.73	718,702.73
	Special Items- Uses	0.00	0.00	0.00
381350	FB Restricted Programs	88,240.61	0.00	88,240.61
		0.00	0.00	0.00

Cash	\$	1,879,479.66
Permit Deposit Held		(26,244.40)
Vouchers Payable AP		0.00
Due to Primary Government-DRF Reimbursement		(12,699.77)
Total Cash Available	\$	<u>1,840,535.49</u>

Agenda Item No. 9

Invoices

MEMO TO: Mr. Jim Nash, Chairman
of the Intercounty Drainage Board for the RED RUN FEDERAL DRAIN

FROM: Shawn Phelps, Chief of Fiscal Services
OCWRC Accounting

DATE: May 18, 2022

SUBJECT: Request for Approval of Invoices

Request for Board approval of payment of the following invoices:

<u>Date</u>	<u>Ref No.</u>	<u>Paid To</u>	<u>For</u>	<u>Amount</u>
	TBP	Hubbell, Roth, & Clark Inc	Inv # 0196268 - Contracted Services - 04/16/22 - Proj # 1-3356	\$ 50,710.58
	TBP	Hubbell, Roth, & Clark Inc	Inv # 0196266 - Contracted Services - 04/30/22 - Proj # 1-3356	5,609.29
			Project # 1-3356 Total	<u>\$ 56,319.87</u>

Agenda Item No. 10

Other Business

Agenda Item No. 11

Adjourn